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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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UNITED STATES OF AMERICA

*versus*

FABIAN TOWERS

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CASE NO. 1:05-CR-109(1)

**MEMORANDUM ORDER ADOPTING REPORT AND RECOMMENDATION**

The Court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration of pretrial matters. Judge Giblin previously ordered that Defendant, Fabian Towers, undergo a mental examination to determine his competency to stand trial pursuant to 18 U.S.C. § 4241. After conducting a hearing to address the examiner's findings, Judge Giblin filed his *Report and Recommendation on Defendant's Competency to Stand Trial* (#59). Judge Giblin concluded that Mr. Towers is competent to stand trial under 18 U.S.C. § 4241.

The parties have not objected to the magistrate's findings and recommendation. The Court concludes that the *Report and Recommendation on Defendant's Competency to Stand Trial* should be accepted. The Court **ORDERS** that the *Report and Recommendation on Defendant's Competency to Stand Trial* (#59) of the United States Magistrate Judge is **ADOPTED**. The Court further **ORDERS** and **FINDS**, in accordance with the magistrate's recommendation and the examiner's report, that Defendant is competent to stand trial pursuant to Title 18, United States Code, Section 4241.

SIGNED at Beaumont, Texas, this 20th day of April, 2006.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE